

Docket No. 520.43239X00
Serial No.10/702,548
Office Action dated March 2, 2007

REMARKS

By the present Amendment, claims 1, 7, 12, and 15 have been amended. No claims have been added or cancelled. Accordingly, Claims 1-5, 7-10, 12, 13, and 15 remain pending in the application. Claims 1, 7, 12 and 15 are Independent.

Applicants would like to thank Examiners Alunkal and Bost for the courtesy and cooperation extended at the Interview conducted on June 12, 2007. During the Interview, the invention defined by independent claims 1 and 15 was discussed, as well as the '553 reference. Although no agreements were reached for allowable claim amendments, various suggestions were agreed upon for clarifying the claim language with respect to the meaning of terms such as: recording medium identify information, first content, and second content. It was indicated that such proposals would define the invention over the '553 patent.

In the Office Action of March 2, 2006, claims 1-5, 7-10, 12, 13, and 15 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 6,937,553 Issued to Mitul et al. This rejection is respectfully traversed.

The Office Action alleges that Mitul discloses all the features recited in the pending claims. Regarding independent claim 1, for example, the Office Action indicates that Mitul discloses a recording apparatus which reproduces information recorded on a recording medium. The apparatus is indicated as including a pickup which reads recording medium identify information, a first content, and a second content that are recorded on the recording medium; a reproducing signal processing circuit which reproduces the recording medium identify information; memory for storing a plurality of recording medium identify information sets that have ever been processed by the reproducing signal processing circuit; and a controller which controls the reproducing apparatus. The Office Action further alleges that the

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controller permits reproduction of the first and second content based on the same criteria set forth in independent claim 1.

By the present Amendment, independent claim 1 has been amended to better clarify the features that are not shown by the art of record. As presently amended, independent claim 1 defines a reproducing apparatus which reproduces information recorded on a recording medium comprising:

- a pickup which reads information including recording medium identify information, a first content, and a second content recorded on the recording medium, wherein both the first content and the second content are audio visual information;

- a reproducing signal processing circuit which reproduces the information read by the pickup;

- a memory which stores a plurality of recording medium identify information sets which have ever been processed by the reproducing signal processing circuit; and

- a controller which controls the reproducing apparatus;

- wherein the recording medium identify information includes an ID unique to the recording medium;

- wherein said controller permits reproduction of the second content when the recording medium identify information stored in the memory satisfies a predetermined requirement, and

- wherein the first content can be reproduced whether or not the recording medium identify information satisfies the predetermined requirement.

According to independent claim 1, the reproducing apparatus includes a pickup for reading information that includes recording medium identify information, a first content, and a second content that are all recorded on the recording medium. Additionally, both the first and second content are audio visual information. A reproducing signal processing circuit is provided for reproducing the information read by the pickup. The apparatus also includes memory for storing a plurality of recording medium identify information sets which have been previously processed by

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the reproducing signal processing circuit at an earlier point in time. A controller is used for controlling the reproducing apparatus. According to independent claim 1, if the recording medium identify information stored in memory satisfies a predetermined requirement, then the controller is permitted to reproduce the second content. Additionally, the first content can be reproduced regardless of whether or not the recording medium identify information meets the predetermined requirements. Further, the recording medium identify information includes an ID that is unique to the recording medium.

According to independent claim 1, certain contents can only be reproduced if a predetermined condition can be satisfied. At least one benefit achieved by such an arrangement is that consumers who purchase multiple content on different recording media that are part of a series can obtain special privileges that are not always available. Specifically, often times a consumer will buy multiple disks that are part of a series, only to have a recording studio release a boxed set that contains some bonus or special content. In order for consumers who have not purchased the boxed set to view the special content, they must spend additional money to purchase the boxed set. However, these consumers already own all of the individual disks, which they have previously purchased, and (typically) require only one additional disk that contains the bonus features.

Mitui appears to disclose a recording apparatus for recording a duplicate of a product onto a recording medium where the product is a copyrighted digital product having a copy attribute embedded as a watermark. Mitui includes an acquiring unit that acquires the copy attribute embedded on the product and a changing unit for changing the acquired copy attribute into a copy attribute that shows no more copies can be made after the first copy. Mitui appears to be concerned with prevention of

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multiple copies of the copyrighted digital product. However, Mitui does not appear to provide any disclosure, or even suggestion, for storing plural kinds of content on the individual recording medium. Additionally, Mitui does not allow for selective reproduction of the different contents based on whether or not predetermined conditions (such as the consumer having purchased all the disks that comprise a set) have been satisfied. Specifically, Mitui fails to disclose features recited in independent claim 1 such as:

a pickup which reads information including recording medium identify information, a first content, and a second content recorded on the recording medium, wherein both the first content and the second content are audio visual information;

...

wherein the recording medium identify information includes an ID unique to the recording medium;

wherein said controller permits reproduction of the second content when the recording medium identify information stored in the memory satisfies a predetermined requirement, and

wherein the first content can be reproduced whether or not the recording medium identify information satisfies the predetermined requirement.

It is therefore respectfully submitted that independent claim 1 is allowable over the art of record.

Claims 2-5 depend from independent claim 1, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 1. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

Independent claim 7 defines a reproducing method for reproducing information that includes recording medium identify information, a first content, and a second content. The method comprises the steps of:

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reproducing recording medium identify information that includes an ID unique to the recording medium;

storing a plurality of recording medium identify information sets which have ever been processed;

reproducing the second content when the recording medium identify information stored in the memory satisfies a predetermined requirement; and

reproducing the first content whether or not the recording medium identify information satisfies the predetermined requirement;

wherein both the first content and the second content are audio visual information, the method.

Independent claim 7 includes features that are somewhat similar to those recited in independent claim 1, such as reproducing the second content when the recording medium identify information stored in the memory satisfies a predetermined criteria. As previously discussed with respect to independent claim 1, these features are not shown or suggested by the art of record.

It is therefore respectfully submitted that independent claim 7 is allowable over the art of record.

Claims 8-10 depend from independent claim 7, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 7. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

Independent claim 12 defines a program for controlling a reproducing apparatus that reproduces information which includes recording identify information, a first content, and a second content recorded on a recording medium. The program executes the steps of:

reading out the recording medium identify information stored in a memory of said reproducing apparatus; and

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reproducing the second content when the recording medium identify information read out from the memory satisfies a predetermined requirement;

wherein both the first content and the second content are audio visual information;

wherein the recording medium identify information includes an ID unique to the recording medium.

As previously discussed, these features are not shown or suggested by the art of record.

It is therefore respectfully submitted that independent claim 12 is allowable over the art of record.

Claims 13 depends from Independent claim 12, and is therefore believed allowable for at least the reasons set forth above with respect to independent claim 12. In addition, this claim introduces novel elements that independently render it patentable over the art of record.

Independent claim 15 defines an apparatus for reproducing information stored on a recording medium. The information includes, in part, a program that reproduces the second content when the recording medium identify information read out from the memory satisfies a predetermined requirement.

As previously discussed, these features are not shown or suggested by the art of record.

It is therefore respectfully submitted that independent claim 15 is allowable over the art of record.

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For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.


If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

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AUTHORIZATION

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 520.43239X00).

Respectfully submitted,
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